

***REMARKS/ARGUMENTS***

In response to the Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed July 16, 2010, Applicant amends his application and claims.

The undersigned attorney wishes to thank the Examiner for the telephonic interview of July 12, 2010, and providing the Notice to Comply upon request.

***Amendments to the Specification***

In response to the Notice to Comply, Applicant has submitted a paper copy of a sequence listing and a copy in computer readable form (a text file) with this Reply, and requests entry of the same into the application.

Applicant has amended paragraphs [0012], [0024], [0026], [0036] and [0039] to insert the required SEQIDNO after the tetrapeptide RGDS in the paragraphs as required.

In addition, Applicant amended paragraphs [0036] and [0039] to correct a typographical error caused by a printer's error, whereby the term "μg" had somehow been changed to the number "82." Applicant has deleted the number 82 from both paragraphs and inserted "μg" to correct these errors.

Furthermore, paragraph [0039] was also amended to correct another typographical error where it is recited that basic FGF is dissolved at a concentration of 100 ng/ml not μg/ml. Support for this correction can be found, for example, at paragraphs [0026] and [0036] where the range of concentration for bFGF is in the nanogram range. No new matter has been added by the above amendments.

***Amendments to the Claims***

Claims 1-56 were originally pending in this application. Claims 35-36, 41-42, and 51 are cancelled. Claims 1, 7, 12, 16, 20, 49, 50, and 52-54 were amended. Claims 1-34, 37-40, 43-50, and 52-56 are pending.

Claims 1, 12, 16, 20, 49, 50, and 52 have been amended to further clarify and refine that which Applicant considers to be the invention. No new matter has been added by these amendments. Support for these amendments can be found throughout the specification, including, for example, paragraphs [0024] to [0039].

Claims 7 and 53 and 54 were amended to recite the SEQ ID NO for the tetrapeptide RGDS (Arg-Gly-Asp-Ser), as required by the Notice to Comply.

*The Office Action*

The Examiner states in the Notice to Comply, that because the reagent RGDS is a peptide of four amino acids in length, the sequence rules require that it must have a sequence listing, even though this reagent has been present in other issued patents without having a sequence listing. Applicant disagrees. However, solely in order to further prosecution, Applicant submits with this reply, a new Sequence Listing and statement under 37 C.F.R. §1.821, identifying the tetrapeptide named RGDS, as SEQ ID NO: 1. In addition, Applicant has amended the specification and claims to recite the SEQ ID NO when RGDS is referred to in the claims.

*Conclusion*

Applicant respectfully submits that the patent application is in condition for examination on the merits and allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Joseph G. Contrera, Reg. No. 44,628  
LEYDIG, VOIT & MAYER  
700 Thirteenth Street, N.W., Suite 300  
Washington, DC 20005-3960  
(202) 737-6770 (telephone)  
(202) 737-6776 (facsimile)

Date: July 20, 2010

JGC/jj

H:\Joe\Cellular Bioengineering\266604\266604 Response to Notice to Comply Seq Listing.doc